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June 10, 2002

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 10/035,637
Applicants: Yashwant M. Deo *et al.*
Filed: November 7, 2001
Title: *Human Monoclonal Antibodies to Dendritic Cells*
Attorney Docket No.: MXI-166CP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of Non-Provisional Application; (2 pages, in duplicate)
2. Two (2) Executed Declaration, Petition and Power of Attorney documents; (6 pages each)
3. A Petition Requesting a Grant of the Original Filing Date Under 37 C.F.R. §1.182; (2 pages, in duplicate)
4. A copy of the postcard receipt date stamped by the U. S. Patent and Trademark Office; (1 page)
5. A copy of page 39 as originally filed, for the Commissioner's convenience; (1 page)
6. A copy of the Notice To File Missing Parts of Non-Provisional Application; and (2 pages)
7. A Return Receipt Postcard.

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Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231 on:

June 10, 2002
Date

Jane E. Remillard, Esq. Reg. No. 38,872

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Jane E. Remillard, Esq.
Reg. No. 38,872

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/035,637	11/07/2001	Yashwant M. Deo	MXI-166CP

CONFIRMATION NO. 4452

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

FORMALITIES LETTER

OC000000007835709

Date Mailed: 04/10/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of $130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is $ 130.**

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The following item(s) appear to have been **omitted** from the application:

- Page(s) **39** of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and $130.00 petition fee *(37 CFR 1.17(h))*) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the $130.00 petition fee *(37 CFR 1.17(h))* requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

06/21/2002 AWONDAF1 00000161 120080 10035637
01 FC:105 130.00 CH

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Yashwant M. Deo *et al.*		**Group Art Unit:**	1644
Serial No.:	10/035,637	**Examiner:**	
Filed:	November 7, 2001		
For:	*"Human Monoclonal Antibodies To Dendritic Cells"*		
Attorney Docket No.: MXI-166CP			

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

June 10, 2002
Date of Signature and of Mail Deposit

By: Jane Remillard
Jane E. Remillard, Esq.
Reg. No. 38,872
Agent for Applicants

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RESPONSE TO NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL APPLICATION

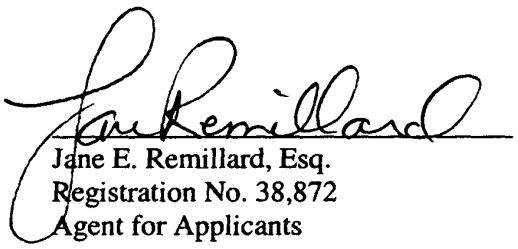
Dear Sir:

Responsive to the Notice to File Missing Parts of Non-Provisional Application dated April 10, 2002, Applicants' attorney submits herewith for the above-referenced application an executed Declaration, Petition and Power of Attorney from Yashwant M. Deo, and an executed Declaration, Petition and Power of Attorney from Tibor Keler.

Furthermore, in response to the indication that page 39 was omitted from the specification, a Petition Requesting A Grant of The Original Filing Date Under 37 C.F.R. §1.182 is being filed herewith along with a copy of the postcard receipt date stamped by the U. S. Patent and Trademark Office. Also enclosed is a copy of the Notice To File Missing Parts of Non-Provisional Application.

The Commissioner is hereby authorized to charge $130.00 for the Surcharge Fee based on large entity status and the $130.00 fee for the Petition Requesting a Grant of the Original Filing Date Under 37 C.F.R. §1.182 to Deposit Account No. 12-0080. It is Applicants' understanding that if the Petition is granted the petition fee will be returned to Applicants' attorney's Deposit Account No. 12-0080. A duplicate of this sheet is enclosed.

Respectfully submitted,



Jane E. Remillard, Esq.
Registration No. 38,872
Agent for Applicants

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109
Tel. (617) 227-7400

Dated: June 10, 2002

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Office No. MXI-166CP

THE "RECEIVED" STAMP OF THE PATENT AND TRADEMARK OFFICE IMPRINTED HEREON ACKNOWLEDGES THE FILING OF:

OIPE JC100 JUN 18 2002 PATENT & TRADEMARK OFFICE

Description of Paper* and No.: Transmittal (2 pages) (in duplicate); New Patent Application consisting of: 69 pages of specification; 6 pages of claims; 1 page of abstract; 14 sheets of informal drawings (Figures 1-14); an *unexecuted* Declaration, Petition, and Power of Attorney document (6 pages); 11 pages of Sequence Listing; Transmittal Letter for Diskette Containing Sequence Listing (1 pg.); Diskette Containing Sequence Listing; Application Data Sheet (3 pages); and Return Acknowledgement Postcard.

Title: HUMAN MONOCLONAL ANTIBODIES TO DENDRITIC CELLS

jl002 U.S. PTO
10/035637
11/07/01

Name of Applicant(s): Yashwant M. Deo et al.

Intf. or Serial No.: N/A

Atty: JER/RKN **Date:** November 7, 2001

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